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00140

PATENT TRADEMARK OFFICE

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**COMBINED DECLARATION AND POWER OF ATTORNEY**

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(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL, DIVISIONAL,  
CONTINUATION, OR C-I-P)

---

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:

*(check one applicable item below)*

- ☒ original.  
☐ design.

*NOTE: With the exception of a supplemental oath or declaration submitted in a reissue, a supplemental oath or declaration is not treated as an amendment under 37 CFR 1.312 (Amendments after allowance). M.P.E.P. Section 714.16, 7<sup>th</sup> Ed.*

- ☐ supplemental.

*NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application, do not check next item; check appropriate one of last three items.*

- ☐ national stage of PCT.

*NOTE: If one of the following 3 items apply, then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR C-I-P.*

*NOTE: See 37 C.F.R. Section 1.63(d) (continued prosecution application) for use of a prior nonprovisional application declaration in the continuation or divisional application being filed on behalf of the same or fewer of the inventors named in the prior application.*

- ☐ divisional.  
☐ continuation.

*NOTE: Where an application discloses and claims subject matter not disclosed in the prior application, or a continuation or divisional application names an inventor not named in the prior application, a continuation-in-part application must be filed under 37 C.F.R. Section 1.53(b) (application filing requirements-nonprovisional application).*

- ☐ continuation-in-part (C-I-P).

**INVENTORSHIP IDENTIFICATION**

**WARNING:** *If the inventors are each not the inventors of all the claims, an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.*

My residence, post office address and citizenship are as stated below, next to my name. I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed, and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

SHOCK ABSORBER

**SPECIFICATION IDENTIFICATION**

The specification of which:

(complete (a), (b), or (c))

(a) ☒ is attached hereto.

**NOTE:** *"The following combinations of information supplied in an oath or declaration filed on the application filing date with a specification are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:*

*"(1) name of inventor(s), and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration on filing;*

*"(2) name of inventor(s), and attorney docket number which was on the specification as filed; or*

*"(3) name of inventor(s), and title which was on the specification as filed."*

*Notice of July 13, 1995 (1177 O.G. 60).*

(b) ☐ was filed on \_\_\_\_\_, ☐ as Application No. \_\_\_\_\_  
☐ and was amended on \_\_\_\_\_ (if applicable).

**NOTE:** *Amendments filed after the original papers are deposited with the PTO that contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. Section 1.67.*

**NOTE:** *"The following combinations of information supplied in an oath or declaration filed after the filing date are acceptable as minimums for identifying a specification and compliance with any one of the items below will be accepted as complying with the identification requirement of 37 C.F.R. Section 1.63:*

- (A) *application number (consisting of the series code and the serial number, e.g., 08/123,456);*
- (B) *serial number and filing date;*
- (C) *attorney docket number which was on the specification as filed;*
- (D) *title which was on the specification as filed and reference to an attached specification which is both attached to the oath or declaration at the time of execution and submitted with the oath or declaration; or*
- (E) *title which was on the specification as filed and accompanied by a cover letter accurately identifying the application for which it was intended by either the application number (consisting of the series code and the serial number, e.g., 08/123,456), or serial number and filing date. Absent any statement(s) to the contrary, it will be presumed that the application filed in the PTO is the application which the inventor(s) executed by signing the oath or declaration.*

*M.P.E.P. ' 601.01(a), 7th ed.*

(c) ☐ was described and claimed in PCT International Application No. \_\_\_\_\_  
 filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_  
 \_\_\_\_\_ (if any).

### **SUPPLEMENTAL DECLARATION (37 C.F.R. Section 1.67(b))**

*(complete the following where a supplemental declaration is being submitted)*

☐ I hereby declare that the subject matter of the

☐ attached amendment

☐ amendment filed on \_\_\_\_\_.

was part of my/our invention and was invented before the filing date of the original application,  
 above identified, for such invention.

### **ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR**

I hereby state that I have reviewed and understand the contents of the above-identified  
 specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information, which is material to patentability as defined in  
 37, Code of Federal Regulations, Section 1.56,

*(also check the following items, if desired)*

☒ and which is material to the examination of this application, namely, information  
 where there is a substantial likelihood that a reasonable Examiner would consider it  
 important in deciding whether to allow the application to issue as a patent, and

☐ in compliance with this duty, there is attached an information disclosure  
 statement, in accordance with 37 C.F.R. Section 1.98.

### **PRIORITY CLAIM (35 U.S.C. Section 119(a)-(d))**

**NOTE:** 37 C.F.R. §1.55 Claim for foreign priority.

*"(a) An applicant in a nonprovisional application may claim the benefit of the filing date of one or more  
 prior foreign applications under the conditions specified in 35 U.S.C. 119(a) through (d) and (f), 172, and  
 365(a) and (b).*

*(1)(i) In an original application filed under 35 U.S.C. 111(a), the claim for priority must be  
 presented during the pendency of the application, and within the later of four months from the  
 actual filing date of the application or sixteen months from the filing date of the prior foreign  
 application. This time period is not extendable. The claim must identify the foreign application  
 for which priority is claimed, as well as any foreign application for the same subject matter and  
 having a filing date before that of the application for which priority is claimed, by specifying the  
 application number, country (or intellectual property authority), day, month, and year of its  
 filing. The time period in this paragraph does not apply to an application for a design patent.*

*(ii) In an application that entered the national stage from an international application  
 after compliance with 35 U.S.C. 371, the claim for priority must be made during the  
 pendency of the application and within the time limit set forth in the PCT and the  
 Regulations under the PCT."*

(2) The claim for priority and the certified copy of the foreign application specified in 35 U.S.C. 119(b) or PCT Rule 17 must, in any event, be filed before the patent is granted. If the claim for priority or the certified copy of the foreign application is filed after the date the issue fee is paid, it must be accompanied by the processing fee set forth in § 1.17(i), but the patent will not include the priority claim unless corrected by a certificate of correction under 35 U.S.C. 255 and § 1.323.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d) ☐ no such applications have been filed.  
 (e) ☒ such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. itself claimed priority check item (e), enter the details below and make the priority claim.

**PRIOR FOREIGN/PCT APPLICATION(S) FILED WITHIN 12 MONTHS  
 (6 MONTHS FOR DESIGN) PRIOR TO THIS APPLICATION  
 AND ANY PRIORITY CLAIMS UNDER 35 U.S.C. SECTION 119(a)-(d)**

COUNTRY (OR INDICATE IF PCT)	APPLICATION NUMBER	DATE OF FILING DAY, MONTH, YEAR	PRIORITY CLAIMED UNDER 35 USC 119
Taiwan, R.O.C.	92109514	23/4/2003	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

**CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)**  
 (35 U.S.C. Section 119(e))

NOTE: 35 U.S.C. 119(e)(1) requires that a nonprovisional application be filed within twelve months of the filing date of the provisional application for the nonprovisional application to claim the benefit of the filing date of the provisional application. Under 35 U.S.C. 21(b) and 119(e)(3), if this twelve-month period expires on a non-business day, it is extended to expire on the next business day.

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below:

**PROVISIONAL APPLICATION NUMBER**  
**DATE**

**FILING**

/ \_\_\_\_\_  
 / \_\_\_\_\_  
 / \_\_\_\_\_

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)  
 UNDER 35 U.S.C. SECTION 120**

- [ ] The claim for the benefit of any such applications are set forth in the attached ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR CONTINUATION-IN-PART (C-I-P) APPLICATION.

**ALL FOREIGN APPLICATION(S), IF ANY, FILED MORE THAN 12 MONTHS  
 (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION**

*NOTE: If the application filed more than 12 months from the filing date of this application is a PCT filing forming the basis for this application entering the United States as (1) the national stage, or (2) a continuation, divisional, or continuation-in-part, then also complete ADDED PAGES TO COMBINED DECLARATION AND POWER OF ATTORNEY FOR DIVISIONAL, CONTINUATION OR C-I-P APPLICATION for benefit of the prior U.S. or PCT application(s) under 35 U.S.C. Section 120.*

SEND CORRESPONDENCE TO

DIRECT TELEPHONE CALLS TO:  
 (Name and telephone number)

**Ladas & Parry**  
**26 West 61<sup>st</sup> Street**  
**New York, N.Y. 10023**

---

*(complete the following if applicable)*

Since this filing is a [ ] continuation [ ] divisional there is attached hereto a Change of Correspondence Address so that there will be no question as to where the PTO should direct all correspondence.

**DECLARATION**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

## SIGNATURE(S)

NOTE: Carefully indicate the family (or last) name, as it should appear on the filing receipt and all other document.

NOTE: Each inventor must be identified by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial, and by his/her residence, post office address and country of citizenship. 37 C.F.R. Section 1.63(a)(3).

NOTE: Inventors may execute separate declarations/oaths provided each declaration/oath sets forth all the inventors. Section 1.63(a)(3) requires that a declaration/oath, inter alia, identify each inventor and prohibits the execution of separate declarations/oaths which each sets forth only the name of the executing inventor. 62 Fed. Reg. 53,131, 53,142, October 10, 1997.

## Full name of sole or first inventor

\_\_\_\_\_  
(Given Name) Chiu-An  
(Middle Initial or Name) HUANG  
Family (Or Last Name)

Inventor's signature (X) Chiu-An Huang

Date (X) 4/5 '04 Country of Citizenship Taiwan, R.O.C.

Residence No.18-1, Lin 10, Lung Yen Tsun, Pao Chung Hsiang, Yuan Lin Hsien, Taiwan, R.O.C.

Post Office Address THE SAME AS RESIDENCE ADDRESS

## Full name of second joint inventor, if any

\_\_\_\_\_  
(Given Name) Chiao-Fan  
(Middle Initial or Name) HUANG  
Family (Or Last Name)

Inventor's signature (X) Chiao-Fan Huang

Date (X) 4/5 '04 Country of Citizenship Taiwan, R.O.C.

Residence 6F, No.318, Fu Yin Road, Hsin Chuang City, Taipei Hsien, Taiwan, R.O.C.

Post Office Address THE SAME AS RESIDENCE ADDRESS

## Full name of third joint inventor, if any

\_\_\_\_\_  
(Given Name) (Middle Initial or Name) Family (Or Last Name)

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship \_\_\_\_\_

Residence \_\_\_\_\_

Post Office Address \_\_\_\_\_

*(check proper box(es) for any of the following added page(s)  
that form a part of this declaration)*

☐ **Signature** for fourth and subsequent joint inventors. *Number of pages added* \_\_\_\_\_

\* \* \*

☐ **Signature** by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. *Number of pages added* \_\_\_\_\_

\* \* \*

☐ **Signature** for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. Section 1.47. *Number of pages added* \_\_\_\_\_

\* \* \*

☐ Added page for **signature** by one joint inventor on behalf of deceased inventor(s) where legal representative cannot be appointed in time. (37 C.F.R. Section 1.47)

\* \* \*

☐ Added pages to combined declaration and power of attorney for divisional, continuation, or continuation-in-part (C-I-P) application.

☐ Number of pages added \_\_\_\_\_

\* \* \*

☐ Authorization of practitioner(s) to accept and follow instructions from representative.

*(If no further pages form a part of this Declaration,  
then end this Declaration with this page and check the following item)*

☒ This declaration ends with this page.



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

[x] In re application of: 1. Chiu-An HUANG 2. Chiao-Fan HUANG  
Application No.: Group No.:  
Filed: Examiner:  
For: SHOCK ABSORBER  
[ ] Patent No.\*: Issued:

\*NOTE: Insert name(s) of all inventor(s) and title also for patent.

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

POWER OF ATTORNEY BY ASSIGNEE OF ENTIRE INTEREST  
(REVOCATION OF PRIOR POWERS)

NOTE: Submission of a Power of attorney after issuance of the Notice of Allowance in an application does not result in a reduction in patent term adjustment under 37 C.F.R. § 1.704(c)(10). See Notice of May 29, 2001, 1247 OG 111-112, June 26, 2001.

As assignee of record of the entire interest of the above identified

[x] application,  
[ ] patent,

## REVOCATION OF PRIOR POWERS OF ATTORNEY

all powers of attorney previously given are hereby revoked and

## NEW POWER OF ATTORNEY

the following attorney(s) and/or agent(s) are hereby appointed to prosecute and transact all business in the Patent and Trademark Office connected therewith.

JOSEPH H. HANDELMAN, 26179

JULIAN H. COHEN, 20302

JOHN RICHARDS, 31053

WILLIAM R. EVANS 25858

RICHARD J. STREIT, 25765

JANET I. CORD, 33778

PETER D. GALLOWAY, 27885

CLIFFORD J. MASS, 30086

RICHARD P. BERG, 28145

CYNTHIA R. MILLER, 34678

(Power of Attorney by Assignee of Entire Interest--page 1 of 2) 12-2

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:

(Name and telephone number)

Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023

(212) 708-1930

Optional Customer No. Bar Code

\*00140\*

00140

PATENT TRADEMARK OFFICE

BENQ CORPORATION

(type or print identity of assignee of entire interest)

157 Shan-Ying Road, Gueishan, Taoyuan 333, Taiwan, R.O.C.  
Address

- [ ] Recorded in PTO on  
Reel  
Frame  
[x] Recorded herewith

## ASSIGNEE STATEMENT

Attached to this power is a "STATEMENT UNDER 37 C.F.R. section 3.73(b)."

Date: (X) April 5, 2004(X)

Signature

William WangWilliam Wang

(type or print name of person authorized to sign on behalf of assignee)

Vice President & General Manager

Title

NOTE: The assignee of the entire interest may revoke previous powers and be represented by an attorney of his or her selection. 37 C.F.R. 1.36.

(check the following item, if it forms a part of this power of attorney)

- [ ] Added page Authorization of attorney(s) to accept and follow instructions from representative.

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: 1. Chiu-An HUANG 2. Chiao-Fan HUANG

Application No.:

Group No.:

Filed:

Examiner:

For: SHOCK ABSORBER

Patent\*: \_\_\_\_\_

Issue Date: \_\_\_\_\_

Reexamination No.: \_\_\_\_\_

Issue Date: \_\_\_\_\_

Reissue: \_\_\_\_\_

Issue Date: \_\_\_\_\_

\*NOTE: Insert name(s) of inventor(s) and title for patent.

## Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 3.73(b)  
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION

NOTE: 37 CFR 3.73(b) states: When an assignee seeks to take action in a matter before the Office with respect to a patent application, ..., patent, registration, or reexamination proceeding, the assignee must establish its ownership of the property to the satisfaction of the Commissioner. Ownership is established by submitting to the Office, in the Office file related to the matter in which action is sought to be taken, documentary evidence of a chain of title from the original owner to the assignee (e.g., copy of an executed assignment submitted for recording) or by specifying (e.g., reel and frame number) where such evidence is recorded in the Office. The submission establishing ownership must be signed by a party authorized to act on behalf of the assignee. Documents submitted to establish ownership may be required to be recorded as a condition to permitting the assignee to take action in a matter pending before the Office.

## CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10\*

(When using Express Mail, the Express Mail label number is mandatory;  
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

[ x ] deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450

37 C.F.R. 1.8(a)

37 C.F.R. 1.10\*

[ x ] with sufficient postage as first class mail.

[ ]

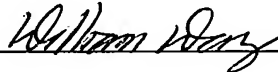
as Express Mail Post Office to Address

Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

[ ] transmitted by facsimile to the Patent and Trademark Office.

✓

✓ Date: March 31, 2004

Signature

William R. Evans

(type or print name of person certifying)

\*WARNING: Each paper or fee filed by Express Mail must have the number of the Express Mail mailing label placed thereon prior to mailing. 37 C.F.R. 1.10(b). Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition. Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

(Statement under 37 C.F.R. § 3.73(b) Establishing Right of Assignee to Take Action page 1 of 3) 1-1c 16-16

NOTE: Section 3.73(b) is amended to remove the sentence requiring an assignee to specifically state that the evidentiary documents have been reviewed and to certify that title is in the assignee seeking to take action. The sentence is deemed to be unnecessary in view of the amendment to § 1.4(d) and 10.18. Notice of Oct. 10, 1997, 62 Fed. Reg. 53,131, at 53,174.

(Statement under 37 C.F.R. § 3.73(b) Establishing Right of Assignee to Take Action page 1 of 3) 1-1c 16-16

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

### IDENTIFICATION OF ASSIGNEE

2. BENQ CORPORATION

Name of assignee

corporation

Type of assignee, e.g., corporation, partnership, university, government agency, etc.

*NOTE: The Notice of April 30, 1993 (1150 O.G. 62-64) points out:*

*The statement under 37 CFR 3.73(b) may be signed on behalf of the assignee in the following two manners if the assignee is an organization (e.g., corporation, partnership, university, government agency, etc.).*

*(1) The statement may be signed by a person in the organization having apparent authority to sign on behalf of the organization. An officer (president, vice-president, secretary, or treasurer) is presumed to have authority to sign on behalf of the organization. The signature of the chairman of the board of directors is acceptable, but not the signature of an individual director. A person having a title (manager, director, administrator, general counsel) that does not clearly set forth that person as an officer of the assignee is not presumed to be an officer of the assignee or to have authority to sign the statement on behalf of the assignee. A power of attorney from the inventors in an organization to a practitioner to prosecute a patent application does not make the practitioner an official of an assignee or empower the practitioner to sign the statement on behalf of the assignee.*

*(2) The statement may be signed by any person, if the statement includes an averment that the person is empowered to sign the statement on behalf of the assignee and, if not signed by a registered practitioner, the statement must be in oath or declaration form. Where a statement does not include such an averment, and the person signing does not hold a position in the organization that would give rise to a presumption that the person is empowered to sign the statement on behalf of the assignee, evidence of the person's authority to sign will be required.*

*(complete the following, if applicable)*

- ☒ I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

### BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

**A.**

1. ☐ An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at  
Reel \_\_\_\_\_ Frame \_\_\_\_\_
2. ☒ An assignment (document) separately being submitted for recordal herewith.

## AND/OR

B. ☐ A chain of title from the inventor(s) to the current assignee as shown below:

1. From: \_\_\_\_\_  
Name of inventor(s)  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
2. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_
3. From: \_\_\_\_\_  
Name of inventor(s) or assignee  
To: \_\_\_\_\_  
Recorded in PTO: Reel \_\_\_\_\_, Frame \_\_\_\_\_

(check item below, and add details, if applicable)

☐ Additional documents in the chain of title are listed in the attached Supplemental Sheet.

## COPIES OF DOCUMENTS IN CHAIN OF TITLE

(complete this item, if copies are being sent)

☒ Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

<input checked="" type="checkbox"/>	A	<input type="checkbox"/>	1	<input checked="" type="checkbox"/>	2	
<input type="checkbox"/>	B	<input type="checkbox"/>	1	<input type="checkbox"/>	2	<input type="checkbox"/> 3

✓  
(X) April 5, 2004  
date

✓  
(X) William Wang  
Signature of authorized person

William Wang  
(type or print name of authorized person)

Vice President & General Manager  
Title of authorized person

William R. Evans, 25858, (212) 708-1930  
(type or print name of practitioner)

Tel. No.: ( )

Customer No.:

\_\_\_\_\_  
P.O. Address

\_\_\_\_\_  
c/o Ladas & Parry  
26 West 61<sup>st</sup> Street  
New York, N.Y. 10023